

**REMARKS**

Claims 4-7, 9-15, 65-70 and 75-89 are pending. Claims 4, 11, 12, 14, 15, 65-68, 70, 75, 81 and 87 have been amended.

Applicants hereby elect the claims of Group I for continued examination, without traverse. Group I comprises claims 4-10, 12-13, and 78-83, as amended below, which are drawn to an antibody or an antigen binding fragment thereof that specifically binds to a protein at least 90% homologous to SEQ ID NO. 743.

The Examiner has required restriction to one of 11 distinct inventions (Groups I-XI). The inventions of Groups I-III were deemed to represent separate and distinct products: the antibody of Group I (pending claims 4-10, 12-13, and 78-83), the transgenic animal of Group II (claim 11), and the polynucleotide of Group III (claim 14). The inventions of Groups IV-XI were deemed to represent separate and distinct methods. Notwithstanding the election of Group I, applicants expressly reserve the right under 35 U.S.C. § 121 to file a divisional application directed to the non-elected subject matter during the pendency of this application, or an application claiming priority from this application.

If any issues remain regarding a further restriction or election, Applicants invite the Examiner to contact the undersigned to discuss the matter to facilitate the issuance of an Action on the merits of the present case.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket No. 511582006200.

Dated: June 18, 2004

Respectfully submitted,

By 

James J. Mullen III, Ph.D.

Registration No.: 44,957

MORRISON & FOERSTER LLP

3811 Valley Centre Drive, Suite 550

San Diego, California 92130

(858) 720-7940